

REMARKS

Claims 1-21 are pending in the present application. Claims 22 and 23 are canceled and claim 10 is amended. The amendment to claim 10 corrects a typographical error that does not affect the scope of that claim. Reconsideration of the claims is respectfully requested.

I. 35 U.S.C. § 102, Anticipation

The examiner rejects claims 22-23 as anticipated by *Doerr et al.*, Polarization Diversity Waveguide Grating Receiver, U.S. Patent 5,809,184 (September 15, 1998) (hereinafter "*Doerr*"). Applicants have canceled these claims, thereby rendering the rejection moot. Applicants do not necessarily agree with the examiner's characterization of *Doerr* in the light of claims 22 and 23. Applicants reserve the right to re-file these claims in a possible continuation application.

II. Conclusion

It is respectfully urged that the subject application is patentable over *Doerr* and is now in condition for allowance.

The examiner is invited to call the undersigned at the below-listed telephone number if in the opinion of the examiner such a telephone conference would expedite or aid the prosecution and examination of this application.

DATE: February 21, 2006

Respectfully submitted,



Theodore D. Fay III
Reg. No. 48,504
Yee & Associates, P.C.
P.O. Box 802333
Dallas, TX 75380
(972) 385-8777
Attorney for Applicant